

1 ERNEST GALVAN – 196065
KARA J. JANSSEN – 274762
2 ADRIENNE SPIEGEL – 330482
LUMA KHABBAZ – 351492
3 ROSEN BIEN
GALVAN & GRUNFELD LLP
4 101 Mission Street, Sixth Floor
San Francisco, California 94105-1738
5 Telephone: (415) 433-6830
Email: egalvan@rbgg.com
6 kjanssen@rbgg.com
aspiegel@rbgg.com
7 lkhabbaz@rbgg.com

8 SUSAN M. BEATY – 324048
CALIFORNIA COLLABORATIVE FOR
9 IMMIGRANT JUSTICE
1999 Harrison Street, Suite 1800
10 Oakland, California 94612-4700
Telephone: (510) 679-3674
11 Email: susan@ccijjustice.org

12 AMARIS MONTES*
Md. Bar No. 2112150205
13 MIRIAM R. NEMETH*
D.C. Bar No. 2112150205
14 RIGHTS BEHIND BARS
416 Florida Avenue N.W. #26152
15 Washington, D.C. 20001-0506
Telephone: (202) 455-4399
16 Email: amaris@rightsbehindbars.org
miriam@rightsbehindbars.org

17 * Admitted *pro hac vice*

18 Attorneys for Plaintiffs

19 UNITED STATES DISTRICT COURT

20 NORTHERN DISTRICT OF CALIFORNIA, OAKLAND DIVISION

22 CALIFORNIA COALITION FOR WOMEN
PRISONERS et al.,

23 Plaintiffs,

24 v.

25 UNITED STATES OF AMERICA FEDERAL
BUREAU OF PRISONS et al.,

26 Defendants.

STEPHEN S. CHA-KIM*
N.Y. Bar No. 4979357
ARNOLD & PORTER KAYE SCHOLER LLP
250 West 55th Street
New York, New York 10019-9710
Telephone: (212) 836-8000
Email: stephen.cha-kim@arnoldporter.com

CARSON D. ANDERSON – 317308
ARNOLD & PORTER KAYE SCHOLER LLP
3000 El Camino Real
Five Palo Alto Square, Suite 500
Palo Alto, California 94306-3807
Telephone: (650) 319-4500
Email: carson.anderson@arnoldporter.com

NATALIE STEIERT*
D.C. Bar No. 90010655
ARNOLD & PORTER KAYE SCHOLER LLP
601 Massachusetts Avenue, N.W.
Washington, D.C. 20001-3743
Telephone: (202) 942-5000
Email: natalie.steiert@arnoldporter.com

Case No. 4:23-cv-04155-YGR

**[PROPOSED] ORDER GRANTING
MOTION FOR PRELIMINARY
APPROVAL OF PROPOSED
CONSENT DECREE**

Date: December 17, 2024

Time: 2:00 p.m.

Crtrm.: 1, 4th Floor

Judge: Hon. Yvonne Gonzalez Rogers

Trial Date: June 23, 2025

1 The parties have entered into a Proposed Consent Decree that was filed as Exhibit 1
2 to the Declaration of Kara Janssen in Support of Plaintiff’s Unopposed Motion for
3 Preliminary Approval of Proposed Consent Decree, which would settle all claims for
4 injunctive relief in this case. The parties have submitted a Proposed Notice to the Class
5 Members, attached as Exhibit 2 to the Declaration of Kara Janssen in Support of the
6 Motion for Preliminary Approval. This Court has presided over the proceedings in the
7 above-captioned action and has reviewed all of the pleadings, records, and papers on file
8 and finds that, good cause appearing, **IT IS ORDERED** as follows:

9 1. This action is determined to be properly maintained as a class action
10 pursuant to Rule 23(b)(2) of the Federal Rules of Civil Procedure. The Court has already
11 certified a class defined as “[a]ll people who are now, or will be in the future, incarcerated
12 at FCI Dublin and subject to FCI Dublin’s uniform policies, customs, and practices
13 concerning sexual assault, including those policies, customs, and practices related to care
14 in the aftermath of an assault and protection from retaliation for reporting an assault.”
15 (ECF No. 222). The Court approves the Parties’ revised class definition of “all people
16 who were incarcerated at FCI Dublin between March 15, 2024 and May 1, 2024, and all
17 named Plaintiffs.”

18 2. The Proposed Consent Decree falls within the range of possible approval and
19 is sufficiently fair to warrant the dissemination of notice to the Class Members apprising
20 them of the settlement.

21 3. The Proposed Consent Decree is the product of arm’s-length, serious,
22 informed, and non-collusive negotiations between experienced and knowledgeable counsel
23 who have actively prosecuted and defended this litigation.

24 4. The Proposed Consent Decree is granted preliminary approval and
25 incorporated herein by this reference, and has the full force and effect of an order of the
26 Court.

27 5. Within two (2) business days after this Order granting Preliminary Approval,
28 the written notice of settlement (the “Notice”) and the Proposed Consent Decree shall be

1 9. A hearing is appropriate to consider whether this Court should grant final
2 approval to the Proposed Consent Decree, and to allow adequate time for Class Members,
3 or their counsel, to support or oppose this settlement.

4 10. A final approval hearing pursuant to Rule 23(e), Federal Rules of Civil
5 Procedure, will be in the Courtroom of undersigned on February 25 at 2:00 p.m. in the
6 United States District Court for the Northern District of California, to determine whether
7 the proposed settlement is fair, reasonable, and adequate, and whether it should be finally
8 approved by the Court. The hearing may be continued from time to time without further
9 notice. Party briefs in support of final approval shall be filed on or before February 7,
10 2025

11 **IT IS SO ORDERED.**

12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

DATED: _____, 2024

Honorable Yvonne Gonzalez Rogers
United States District Judge